

### **REMARKS/ARGUMENTS**

In the Office Action, the Examiner rejects Claims 1-3 and 22-36 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,732,398 to Tagawa in view of "Red Roof Inns" article and "Discounting in the Hotel Industry" article to Hanks et al. Claims 5-7, 9, 10, and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa, Red Roof, and Hanks and further in view of U.S. Patent No. 5,404,291 to Kerr et al. Finally, Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa, Red Roof, Hanks, and Kerr and further in view of U.S. Patent No. 4,775,936 to Jung et al.

As explained more fully below, the pending claims of the present application are patentably distinguishable from the cited references. Claims 41-45 have been added. In light of the subsequent remarks, Applicant respectfully requests reconsideration and allowance of the claims.

#### **Independent Claims 1, 22, and 36**

In the previous response, independent Claims 1, 22, and 36 were amended to recite accessing an inventory of hotel rooms that is organized as a hierarchal combination of a plurality of attributes associated with a room and determining whether a room satisfying at least one room attribute in the room request is available within the inventory of rooms based on the attributes associated with the room. The Examiner acknowledges that neither Tagawa nor the Red Roof article discloses the hierarchal aspect of Claims 1, 22, and 36 but, instead, relies on the Hanks article as disclosing this particular aspect and, particularly, relies on a portion of Hanks that discloses that rates for hotel rooms may be set by room characteristics (p. 19, ¶ 22, Exhibit 4).

Applicant respectfully disagrees with the rejection of independent Claims 1, 22, and 36. The Hanks article makes no mention of the organization of attributes within a hotel's inventory in order to determine the availability of a room for the segmented customers. In contrast, the portion of the Hanks article relied upon by the Examiner simply discloses that one approach to setting rates for rooms is by using room type. The Examiner relies on the portion of the Hanks article that states that rates are set according to different room characteristics (e.g., size, view,

floor level). However, the Hanks article does not disclose that the room characteristics are organized in any particular manner other than a list of attributes. Figure 4 of the present application demonstrates an exemplary hierarchy of attributes, which is nowhere taught or suggested by the Hanks article. In fact, assigning rates by room type is specifically distinguished in the present application on pages 28 and 29. The present application discloses specific drawbacks associated with setting rates by room type, such as “not allowing the rooms to distinguish themselves in ways other than the specified types,” and “the hotelier cannot match an exact feature request.” Thus, the Hanks article does not disclose the hierarchal organization of attributes recited by the claimed invention, as there is no disclosed hierarchal relationship between room characteristics.

Therefore, the rejection of independent Claims 1, 22, and 36 under 35 U.S.C. § 103(a) is overcome. Because each of the claims that depend from independent Claims 1, 22, and 36 includes at least those recitations of a respective independent claim, Applicants submit that the dependent claims are allowable for at least those reasons described above with respect to independent Claims 1, 22, and 36.

#### Dependent Claims 5 and 37-45

Although Applicant submits that the dependent claims are allowable for at least those reasons discussed above, Applicant submits that at least dependent Claims 5 and 37-40 are further distinguishable from the cited references. Generally, Claims 5 and 37-40 recite organizing the inventory of hotel rooms as a plurality of first attribute combinations, second attribute combinations, and third attribute combinations, wherein each first attribute combination comprises at least one second attribute combination and each second attribute combination comprises at least one third attribute combination. None of Tagawa, Red Roof, or the Hanks article discloses such an organization and the Examiner, instead, relies on Kerr, which discloses using a matrix array of rows representing rate-categories and columns representing room types. In particular, the Examiner finds that Kerr discloses organizing an “inventory of hotel rooms as a plurality of first attribute combinations (rate-category ‘i’), second attribute combinations (room-rate type ‘ij’) and third attribute combinations.”

Applicant respectfully disagrees, as Kerr does not teach a hierarchal organization of attributes let alone the specificity of organization recited in Claims 5 and 37-40. Namely, Kerr discloses using a matrix of "i" rows representing rate categories and "j" columns representing room types. In fact, the Examiner only alleges that the Hanks article discloses a first attribute combination (rate-category "i") and a second attribute combination (room-rate type "ij"), but does not describe where the Hanks articles discloses a third attribute combination or how the rate-category "i" or room-rate type "ij" are combinations of attributes. Thus, the inventory system of Kerr discloses an inventory organized as a matrix rather than a hierarchal combination of attributes. Moreover, Kerr discloses the use of different arrays, such as an array for maximum number of rooms authorized for sale, the number of rooms sold, and the number of rooms blocked, but does not teach or suggest that any of the matrices include a plurality of first, second, and third attribute combinations that are used for organizing an inventory of hotel rooms, as recited by Claims 5 and 37-40.

Therefore, Applicants submit that dependent Claims 5 and 37-40 are allowable for at least these additional reasons. In addition, new Claims 41-45 further define dependent Claims 5 and 37-40 and recite that the third attribute combination comprises more attributes than the second attribute combination (i.e., the third attribute combination is more specific than the second attribute combination), and wherein the second attribute combination comprises more attributes than the first attribute combination (i.e., the second attribute combination is more specific than the first attribute combination). Therefore, Applicants submit that Claims 41-45 are also allowable for at least those reasons discussed above.

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### CONCLUSION

In view of the remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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